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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,127	07/16/2003	Theodore James Myers	SBC 0131 PA	1949
34456	7590	03/07/2006	EXAMINER	
TOLER & LARSON & ABEL L.L.P. 5000 PLAZA ON THE LAKE STE 265 AUSTIN, TX 78746				DOAN, PHUOC HUU
			ART UNIT	PAPER NUMBER
			2687	

DATE MAILED: 03/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/621,127	MYERS ET AL.
	Examiner	Art Unit
	PHUOC H. DOAN	2687

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 11 January 2006.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 18-33 and 36-40 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 18-33 and 36-40 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 38 claimed “user selection the one or more responses to subscribe to a selected one of the one or more wireless service provider” is not support by the specification.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 18-33, and 36-40 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 18-33, and 36-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Owensby (US Pub No: 2002/0077130)** in view of **Sato (US Patent No: 6,009,403)**.

**As to claim 18**, Owensby discloses a mobile terminal “**Fig. 1, item 12**” for a wireless communication system (col. 6, par. [0043]) comprising: a graphical user interface “**col. 10, par. [0062] unless the subscriber presses a predetermined key on the keypad of the wireless mobile terminal 12 which is a function of a graphical user interface built in the device by software and hardware**, and col. 12, par. [0077]” to receive user inputs to define a **user zone** “**col. 7, par. [0046] service area**” (col. 6, par. [0045] “**it is possible to determine the true geographical location of the subscriber to a high degree of precision**”), the user zone comprising a desired area of operation to subscribe to wireless service options (col. 12, par. [0080] “**subscribe selected to targeted advertisement of particular interest and may vary based on the geographical location**”); wherein the mobile terminal is adapted to transmit vector information related to the user zone to a network controller within said wireless communication system (col. 6 to col. 7, par. [0045-0049]).

However, Owensby does not specifically the mobile terminal is adapted to transmit vector information.

In the same field of invention, Sato discloses the mobile terminal is adapted to transmit vector information (col. 8, lines 5-17 “**information direction**”). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide of vector information as taught by Sato to the system of Owensby in order to provide an information retrieval system in precisely information based on the geographical.

**As to claim 19**, Owensby and Sato disclose everything claimed, as applied above (see claim 18). In addition, Owensby further discloses a mobile terminal according to claim 18 wherein the user-zone comprises a desired area of operation of the mobile terminal for a temporary duration (col. 12, par. [0078] “**the length of the call information will allow the Call Management System 20 on the service provider to determine whether the targeted advertisement was inserted fully**”).

**As to claim 20**, Owensby and Sato disclose everything claimed, as applied above (see claim 18). In addition, Sato further discloses a mobile terminal according to claim 18 wherein said vector information comprises at least one radius or distance vector with respect to said mobile terminal location (col. 8, lines 5-58).

**As to claim 21**, Owensby and Sato disclose everything claimed, as applied above (see claim 18). In addition, Owensby further discloses a mobile terminal according to claim 18 comprising a stylus or keypad input device for inputting said user inputs (col. 10, par. [0062]).

**As to claim 22**, Owensby and Sato disclose everything claimed, as applied above (see claim 18). In addition, Sato further disclose wherein said mobile terminal is adapted to receive location information related to a location of the mobile terminal (col. 5, lines 52-65), wherein the graphical user interface is adapted to display a map in response to the location information (See Abstract “the distribution of the service facilities on a map, selects the area which meets most the inputted condition, and displays the area on a display device 12 which is a mobile terminal”).

**As to claim 23, 40**, Owensby further discloses a mobile terminal according to claim 22 wherein said location information is received at said mobile terminal from said wireless communication system (col. 9, par. [0054-0056]).

**As to claim 24**, Owensby further discloses a mobile terminal according to claim 22 comprising a GPS receiver (col. 6, par. [0045]), and wherein said location information is provided by said GPS receiver (col. 7, par. [0046-0047]).

**As to claim 25, 39,** Owensby and Sato disclose everything claimed, as applied above (see claim 18). In addition, Sato further discloses wherein the graphical user interface is operable to display a map including street and landmark information (col. 11, lines 30-42).

**As to claim 26,** the claim is rejected for the same reason as set forth in claim 21.

**As to claim 27,** Owensby further discloses wherein said mobile terminal is adapted to transmit a request for communication services within the user zone (col. 6 through col. 7, par. [0045-0049]).

**As to claim 28,** the claim is rejected for the same reason as set forth in claim 20.

**As to claim 29,** Owensby further discloses wherein said request includes a request for voice and data communication services (col. 8, par. [0051-0053]).

**As to claim 30,** Owensby and Sato disclose everything claimed, as applied above (see claim 18). In addition, Owensby further discloses a mobile terminal according to claim 18 wherein said request for communication services is transmitted to a plurality of network controllers each associated with a communications service provider (col. 7 to col. 8, par. [0049-0050], and [0053]).

**As to claim 31, 38,** Owensby discloses a method of requesting communication services by a user within a user-defined user zone comprising the steps of (col. 6 to col. 7, par. [0043-0049]), the method comprising: determining a location of a mobile terminal of a user by receiving GPS data at said user's mobile terminal (col. 6, par. [0043-45], and col. 9, par. [0054]); defining a desired area with respect to the location in response to the user interaction “col. 6, par. [0043], col. 9, par. [0054], and col. 10, par. [0062]” transmitting “col. 10, par. [0061]” information related to the desired area to at least one of said wireless communication service providers “Call Management System 20” (col. 12, par. [0077-0081]); and receiving from at least one wireless communication service provider wireless communication services within said desired area (col. 12, par. [0077-0081]).

However, Owensby does not specifically disclose of providing a display map related to the location for user interaction.

In the same field of invention, Sato specifically discloses of providing a display map related to the location for user interaction (See Abstract “the distribution of the service facilities on a map, selects the area which meets most the inputted condition, and displays the area on a display device 12 which is a mobile terminal”, and col. 11, lines 29-42). Therefore, it would have

been obvious to one of ordinary skill in the art at the time the invention was made to provide a geographic region serviced by at least two wireless communication service providers as taught by Sato to the system of Owensby in order to provide an information retrieval system in precisely information based on the geographical.

**As to claim 32**, Owensby and Sato disclose everything claimed, as applied above (see claim 31). In addition, the claim is rejected for the same reason as set forth in claim 30.

**As to claim 33**, Owensby and Sato disclose everything claimed, as applied above (see claim 31). In addition, the claim is rejected for the same reason as set forth in claim 20.

**As to claim 36**, Owensby and Sato disclose everything claimed, as applied above (see claim 31). In addition, the claim is rejected for the same reason as set forth in claim 30.

**As to claim 37**, Owensby and Sato disclose everything claimed, as applied above (see claim 36). In addition, the claim is rejected for the same reason as set forth in claim 35.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Durocher (US Patent No: 6,381,535) specifically discloses cellular telephone used navigational aid to displayed the street and geographical landmark (col. 3, lines 1-50).**

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUOC H. DOAN whose telephone number is 571-272-7920. The examiner can normally be reached on 9:30 AM - 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, GEORGE ENG can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Phuoc Doan  
02/28/06

JEAN GELIN  
PRIMARY EXAMINER

